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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER	
HENNING, MATTHEW T	
ART UNIT	**PAPER NUMBER**
2131	

DATE MAILED: 03/02/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/997,521	MORONEY, PAUL	
	Examiner	Art Unit	
	Matthew T Henning	2131	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *28 November 2001*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-36* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-36* is/are rejected.

7)☒ Claim(s) *4-34* is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *28 November 2001* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date *1/16/2004*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

This action is in response to the communication filed on 11/28/2001.

DETAILED ACTION

1. Claims 1-36 have been examined.

Title

2. The title of the invention is acceptable.

Priority

3. No claim for priority has been made for this application.

4. The effective filing date for the subject matter defined in the pending claims in this application is 11/28/2001.

Information Disclosure Statement

5. The information disclosure statement (IDS) submitted on 1/16/2004 is in compliance with the provisions of 37 CFR 1.97. Accordingly, the examiner is considering the information disclosure statement.

Drawings

6. The drawings filed on 11/28/2001 are acceptable for examination proceedings.

Claim Objections

7. Claims 4-34 are objected to for failing to comply with the standard claim numbering as set forth in 37 CFR 1.75(c).

8. The applicant is reminded that a series of singular dependent claims is permissible in which a dependent claim refers to a preceding claim which, in turn, refers to another preceding claim.

A claim which depends from a dependent claim should not be separated by any claim which does not also depend from said dependent claim. It should be kept in mind that a dependent claim may refer to any preceding independent claim. In general, applicant's sequence will not be changed. See MPEP § 608.01(n).

Claim Rejections - 35 USC § 112

9. The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

10. Claims 1-17, and 33 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The term "high bit-rate" in claim 1 is a relative term which renders the claim indefinite. The term "high bit-rate" is not defined by the claim, the specification does not provide a standard for ascertaining the requisite degree, and one of ordinary skill in the art would not be reasonably apprised of the scope of the invention. One of ordinary skill in the art would be unable to determine whether any bit-rate, such as 8-bits per minute, is high or not and therefore would be unable to determine the scope of the claim. Therefore, claim 1 is rejected under 35 USC 112 2nd for failing to particularly point out and distinctly claim the subject matter which the applicant regards as the invention. Claims 2-17, and 33 are rejected by virtue of their dependency to claim 1.

Claim Rejections - 35 USC § 102

11. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

> *(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.*

12. Claims 1-5, 7-9, 18-22, 25-31, and 33 -36 are rejected under 35 U.S.C. 102(e) as being anticipated by Jones (US Patent Application Publication 2003/0016825).

13. Regarding claim 1, Jones disclosed a theater complex domain comprising (See Jones Fig. 4): a projection unit operable to render decompressed digital video content (See Jones Paragraph 0027); a security module having a decompression unit operable to receive compressed digital video content and to produce the decompressed digital video content (See Jones Paragraphs 0025 and 0029); the compressed digital video content received by the decompression unit comprises unencrypted compressed digital video content, and the decompressed digital video content rendered by the projection unit comprises unencrypted decompressed high bit-rate digital video content (See Jones Col. 0025); and the security module having a decryption unit for receiving encrypted compressed digital video content and to produce the unencrypted compressed digital video content (See Jones Paragraph 0025).

14. Regarding claim 2, Jones disclosed that the security module further comprises: a watermark unit coupled to the decompression unit operable to receive the decompressed digital video content produced by the decompression unit and to produce the decompressed digital video content rendered by the projection unit, wherein the decompressed digital video content

rendered by the projection unit includes a watermark embedded therein (See Jones Paragraph 0025).

15. Regarding claim 3, Jones disclosed that the watermark uniquely identifies the projection unit to which the security module is removably coupled (See Jones Paragraph 0034 Lines 3-7).

16. Regarding claim 4, Jones disclosed that the security module is physically locked in a tamper resistant container (See Jones Paragraph 0023).

17. Regarding claim 5, Jones disclosed that the security module is physically locked to the projection unit to which it is removably coupled (See Jones Paragraphs 0023 and 0029).

18. Regarding claim 7, Jones disclosed a receiver coupled to the security module operable to receive the compressed digital video content from a content source (See Jones Paragraph 0024).

19. Regarding claim 8, Jones disclosed that the receiver is operable to receive the compressed digital video content from the content source in real-time, and is operable to transmit the compressed digital video content to the security module, such that the projection unit renders digital video content corresponding to the compressed digital video content nearly concurrently with reception by the receiver of the compressed digital video content (See Jones Paragraphs 0024-0025 and 0032).

20. Regarding claim 9, Jones disclosed a file server coupled to the receiver and the security module, the file server being operable to store the compressed digital video content received from the receiver, and being operable at a later time or times to provide the compressed digital video content to the security module for rendering by the projection unit; wherein the receiver is operable to receive the compressed digital video content from the content source, and is operable to transmit the compressed digital video content to the file server (See Jones Paragraph 0032).

21. Regarding claim 18, Jones disclosed a security module for a projection unit, comprising: a decompression unit operable to receive compressed digital video content and to produce decompressed digital video content; and a security container coupled to and enclosing the decompression unit, wherein the security container is physically removably coupled to the projection unit (See Jones Paragraphs 0025-0027, and 0029).

22. Regarding claim 19, Jones disclosed a watermarking unit for producing decompressed digital video content having a watermark embedded therein (See Jones Paragraph 027).

23. Regarding claim 20, Jones disclosed the watermark embedded in the decompressed digital video content produced by the watermarking unit uniquely identifies the projection unit to which the security module is removably coupled (See Jones Paragraph 0034).

24. Regarding claim 21, Jones disclosed the watermark embedded in the decompressed digital video content produced by the watermarking unit uniquely identifies the security module (See Jones Paragraph 0034 and Paragraph 0029).

25. Regarding claim 22, Jones disclosed that the compressed digital video content received by the decompression unit comprises unencrypted compressed digital video content, and wherein the decompressed video content produced by the decompression unit comprises unencrypted decompressed video content, the security module further comprising: an encryption unit coupled to the decompression unit operable to receive encrypted compressed digital video content and to produce the unencrypted compressed digital video content (See Jones Paragraph 0025).

26. Regarding claim 25, Jones disclosed a method of displaying digital video content, the method comprising the steps of: receiving compressed digital video content from a content source; transmitting the compressed digital video content to a security module removably

coupled to a projection unit; decompressing the compressed digital content within the security module so as to produce decompressed digital video content; and rendering the decompressed digital video content by the projection unit (See Jones Paragraphs 0024-0027).

27. Regarding claim 26, Jones disclosed that compressed digital video content from the content source comprises encrypted compressed digital video content, wherein the compressed digital video content decompressed within the security module comprises unencrypted compressed digital video content, the method further comprising the steps of: decrypting the encrypted compressed digital video content so as to produce the unencrypted compressed digital video content (See Jones Paragraphs 0024-0025).

28. Regarding claim 27, Jones disclosed after the transmitting and prior to the rendering step, watermarking within the security module the digital video content with an embedded watermark (See Jones Paragraph 0026).

29. Regarding claim 28, Jones disclosed that the embedded watermark comprises a unique identifier of the projection unit to which the security module is removably coupled (See Jones Paragraph 0034).

30. Regarding claim 29, Jones disclosed that the embedded watermark comprises a unique identifier of the security module (See Jones Paragraphs 0029 and 0034).

31. Regarding claim 30, Jones disclosed that the receiving of the digital video content from the content source occurs in real-time nearly concurrently with the rendering of the decompressed digital video content by the projection system (See Jones Paragraph 0032).

32. Regarding claim 31, Jones disclosed after the receiving step and prior to the transmitting step, storing in a file server the compressed digital video content (See Jones Paragraph 0032).

33. Regarding claim 33, Jones disclosed that the watermark unit is coupled before or after the decompression unit (See Jones Figs. 3-4).

34. Regarding claim 34, Jones disclosed a decryption unit for receiving encrypted compressed digital video content and to produce the unencrypted compressed digital video content (See Jones Paragraph 0025).

35. Regarding claim 35, Jones disclosed A method for secure delivery and playback of content between a studio computing system and theater computing system, the method comprising: encrypting the content at the studio computing system (See Jones Paragraph 0002 and 0024); forwarding the encrypted content from the studio computing system to a theater computing system (See Jones Paragraph 0002 and 0024); storing by the theater computing system, the encrypted content in memory (See Jones Paragraph 0032); playback of the encrypted content from the theater computing system to a projection unit (See Jones Paragraph 0032); and decryption of the encrypted content at a secure module located within a projection unit such that the act of decrypting is controlled at the studio computing system and the act of play back is controlled by the theater computing system (See Jones Paragraphs 0006, 0028 and 0032).

36. Regarding claim 36, Jones disclosed that the secure module is a single replaceable unit (See Jones paragraph 0028).

Claim Rejections - 35 USC § 103

37. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> *(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary*

skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

38. Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Jones as applied to claim 1 above, and further in view of Lemelson et al. (US Patent Number 5,731,785) hereinafter referred to as Lemelson.

Jones disclosed a lock box system for decrypting, decompressing, watermarking and projecting video content (See Jones Paragraph 0024-0028) and also that the box had tamper detection (See Jones Paragraph 0028), but Jones failed to disclose the system having a global positioning circuit embedded within it.

Lemelson teaches a system for embedding a global positioning system in an object as a means for tracking the object in the event that it is stolen (See Lemelson Col. 1 Lines 25-57, and Col. 5 Lines 37-50).

It would have been obvious to the ordinary person skilled in the art at the time of invention to employ the teachings of Lemelson in the secure locked box of Jones by adding a GPS tracking system in the box which can signal a central location with location information. This would have been obvious because the ordinary person skilled in the art would have been motivated to provide protection of the secure box in the event that the box was stolen.

39. Claims 10-11 rejected under 35 U.S.C. 103(a) as being unpatentable over Jones as applied to claim 1 above, and further in view of Rabowsky (US Patent Number 6,141,530).

Jones disclosed receiving video content from a remote source (See Jones Paragraph 0024) but failed to disclose how the remote source was connected to the receiver.

Rabowsky teaches cinema and data files can be delivered to a theater system via a satellite communication link, a coaxial cable, or a fiber optic cable (See Rabowsky Col. 8 Lines 43-50).

It would have been obvious to the ordinary person skilled in the art at the time of invention to employ the teachings of Rabowsky in the theater system of Jones by sending the content to the theater via a satellite of fiber optic link. This would have been obvious because the ordinary person skilled in the art would have been motivated to provide a means for sending the content from the provider to the theater.

40. Claims 12-13, 23, and 32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jones as applied to claim 1, 18, and 25 respectively above, and further in view of Schiller et al. (US Patent Number 5,499,046) hereinafter referred to as Schiller.

41. Regarding claims 12 and 32, Jones disclosed sending video content from a remote location to a theater (See Jones Paragraph 0024) but failed to disclose sending the content in IP packet format.

Schiller teaches that by sending video content in TCP/IP packet format, any lost or dropped packets can be recognized and retransmitted (See Schiller Col. 7 Paragraphs 4-6 and Col. 8 Paragraph 5).

It would have been obvious to the ordinary person skilled in the art at the time of invention to employ the teachings of Schiller in the content receiving system of Jones by providing the content in the form of TCP/IP Packets. This would have been obvious because the ordinary person skilled in the art would have been motivate to provide a means to detect missing packets from the content in order for the content to be assembled correctly.

42. Regarding claims 13 and 23, Jones also failed to disclose a transmitter with the ability to transmit information to the content source.

Schiller further teaches that in a content receiving system, the receiver should send requests to the content provider in the event that certain packets need to be re-transmitted.

It would have been obvious to the ordinary person skilled in the art at the time of invention to employ the teachings of Schiller in the content receiving system of Jones by providing a transmitter to send requests for retransmission to the content provider. This would have been obvious because the ordinary person skilled in the art would have been motivated to receive all the movie content packets in order to properly reassemble the content.

43. Claim14-17, and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over the combination of Jones and Schiller as applied to claims 1 and 23 above respectively, and further in view of Rabowsky (US Patent Number 6,141,530).

Regarding claims 14, 15 and 24, the combination of Jones and Schiller disclosed detecting attempts to tamper with the secure box (See Jones Paragraph 0023), but failed to disclose sending reports of tampering, or periodic reports, to the content source.

Rabowsky teaches that in a content providing system, the theater system can send periodic status reports to the content provider, as well as urgent reports and trouble reports (See Rabowsky Col. 12 Paragraph 4).

It would have been obvious to the ordinary person skilled in the art at the time of invention to employ the teachings of Rabowsky in the theater system of Jones and Schiller by having the secure box send periodic status reports, as well as urgent reports and trouble reports in the event of tamper detection. This would have been obvious because the ordinary person skilled

in the art would have been motivated to provide a means for maintaining the health and welfare of the theater system. Also, it would have been obvious and natural to send some form of an alert message to the content provider in the event of tamper detection because the ordinary person skilled in the art would have been motivated make the proper authorities aware of the tampering, once it was detected.

44. Regarding claim 16, the combination of Jones, Schiller, and Rabowsky disclosed that the transmitter and receiver were embedded in a transceiver unit (See the rejection of claim 13 above, and Schiller Col. 8 Paragraphs 4-5, wherein the theater system contains both a transmitter and receiver, which constitutes a transceiver).

45. Regarding claim 17, the combination of Jones, Schiller, and Rabowsky disclosed that the security module and transceiver are coupled together by an IP network (See the rejection of claim 13 above, and Schiller Col. 9 Paragraph 6).

Conclusion

46. Claims 1-36 have been rejected.

47. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

a. Stefik et al. (US Patent Number 5,629,980) disclosed a system for distributing a digital work from a creator to a user.

b. Hunter (US patent Number 6,424,998) disclosed a system for distributing digital works via a multitude of transmission types.

c. Kung et al. (US Patent Number 6,826,173) disclosed a system in which alerts are sent over an IP network in the event of tamper detection.

d. Kelly (US Patent Application Publication 2001/0043575) disclosed a two-way satellite system.

48. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Matthew T Henning whose telephone number is (571) 272-3790. The examiner can normally be reached on M-F 8-4.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz Sheikh can be reached on (571) 272-3795. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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2/17/2005

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